HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION NO.26499 OF 1995

DATE: 29th SEPTEMBER 2006

Between:
P.Nadamuni Reddy, son of P.Muni Reddy,
aged 32 years, resident of Attur (Village & Post),
Renigunta Mandal, Chittoor District.

... Petitioner.

And

The Managing Director, Sri Venkateswara
Cooperative Sugar Factory Limited,
Gajulamandyam, Renigunta Mandal,
Chittoor district.

... Respondent.

* * *

ORDER:

The petitioner, who was engaged as a Fieldman for Cane development as NMR on daily wage basis, is discontinued by the respondent Sugar Factory in the year 1991. Questioning the same, he filed W.P.No.914 of 1991. The said writ petition was allowed by a learned single judge on 26.7.1993 directing the petitioner's reinstatement. A Division Bench while reversing the said order of the learned single judge in W.A.No.940 of 1993 by its order dated 06.9.1993, however, found that petitioner's retrenchment was in violation of 25F of the Industrial Disputes Act, as no retrenchment compensation was paid to the petitioner. In this view of the matter, the Division Bench directed the first respondent to pay compensation of Rs.3,000/- in lieu of

reinstatement. The Division Bench also made an observation that the said order does not preclude the first respondent from considering the case of the petitioner for appointment during the season along with other persons.

2. As the petitioner's request for his re-appointment during the subsequent season was not acceded to by the first respondent, the present writ petition is filed.

3. Sri Balaji, learned counsel for the respondent has stated across the bar that in pursuance of the interim direction given by this Court in W.P.M.P.No.32651 of 1995 in the present writ petition on 29.11.1995, the petitioner's case was considered and that he is being engaged during crushing season of every year since then. Learned counsel for the petitioner submitted that if this statement of fact is correct, the petitioner shall have no grievance.

4. Recording the afore mentioned statement of the learned counsel for the respondent, this writ petition is closed as no further orders are necessary.

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C.V.NAGARJUNA REDDY, J.

Date: 29th September 2006.
BSB